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Mayor Nielson then asked if there were any other items to be discussed. There being none, Council Member Neil Dutson MOVED to adjourn the meeting. The motion was SECONDED by Council Member Don Dafoe. The motion carried unanimously. Meeting adjourned at 9:45 p.m.


Grant S. Nielson, Mayor

Attest:


Dorothy Jeffery
City Recorder

REGULAR CITY COUNCIL MEETING

JUNE 18, 1984

PRESENT

Grant S. Nielson
Craig Greathouse
Ruth Hansen
Kjell Jenkins
Neil Dutson
Don Dafoe

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan
Warren Peterson
Dorothy Jeffery
Greg Cooper
John Quick
Neil Forster
Leah Kauwe
Roland Dutson
Ralph Ross
Norma Fuller
Richard Fuller
Joe Riley
Glen Swalberg
Mike Styler

City Manager
City Attorney
City Recorder
City Chief of Police
City Engineer
Public Works Director
City Resident
City Resident
County Resident
County Resident
County Resident
County Resident
County Resident
Chamber of Commerce
Millard County Commissioner

There were others present at the meeting who did not sign the agenda.

Mayor Nielson called the meeting to order at 7:00 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing and had been provided to the Millard

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County Chronicle, the Millard County Gazette and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the notice and agenda two days prior to the meeting.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery asked if there were any questions regarding the accounts payable, a list of which had been provided to the Council members two days prior to the meeting.

Following a brief discussion of the accounts payable, Council Member Craig Greathouse MOVED that the accounts payable be approved for payment as presented. Motion was SECONDED by Council Member Kjell Jenkins. Mayor Nielson asked if there were any further comments on the accounts payable. There being none, he asked for a vote on the motion, which carried unanimously.

CITY ATTORNEY WARREN PETERSON: STATUS OF BURGOYNE COMPUTER EQUIPMENT

Attorney Peterson explained to the Council that Burgoyne Computer, Inc. (BCI) has made an offer of \$15,000 for the return of all of the computer equipment with the exception of the power pack and the word processor. These two items would remain with Delta City. He said Delta City has paid \$35,000 for the purchase of the computer system and labor and other costs incurred in attempting to make the system operational. Attorney Peterson further stated that the City has two options. One is to accept BCI's offer of the \$15,000; or to sue for the full amount.

Council Member Craig Greathouse asked what the cost of a lawsuit such as this would be. Attorney Peterson responded the cost would be approximately \$500 to file the lawsuit, but the total cost would be thousands of dollars. There was a general discussion on the possibility of selling the computer to help recoup some of the monies.

After further discussion of the issue, Council Member Ruth Hansen MOVED to accept the \$15,000 offer from Burgoyne in exchange for the computer and terminals and keep the word processor and the power pack. Council Member Craig Greathouse SECONDED the motion. Mayor Nielson then asked if there was any further discussion regarding the issue. There being none, he asked for a vote on the motion. The voting was as follows:

Council Member Craig Greathouse	Yes
Council Member Don Dafoe	Yes
Council Member Kjell Jenkins	Yes
Council Member Ruth Hansen	Yes
Council Member Neil Dutson	No

The motion carried.

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CITY COUNCIL DECISION ON STREET IMPROVEMENT CIB BOND PAYBACK IN THE AMOUNT OF \$7500 PLUS THE INVESTMENT OF IPA'S FUNDS

Mayor Nielson discussed the street improvement project with the Council and the possibility of committing Class C road funds as part of the payback of the \$1.3 million loan from the Utah Natural Resources Community Impact Board (CIB).

Attorney Peterson explained to the Council that the City will be required to issue a bond for the repayment of the CIB loan. He then recommended the City select a bond attorney and then request the bond attorney render an opinion as to the legality of committing the Class C road funds as part of the payment for the CIB loan.

Council Member Craig Greathouse stated he had discussed the possibility of using Class C road funds with Mr. Gary Tomsic of Boettcher and Co. about two months ago, and Mr. Tomsick had told him Class C road funds could be used for a project such as this.

Council Member Don Dafoe MOVED to authorize City Manager Jim Allan and Attorney Peterson to select a bond attorney and request him to render an opinion on the legality of committing Class C road funds for part of the repayment of the CIB loan for the street improvement project. Motion was SECONDED by Council Member Craig Greathouse. Motion carried.

ART JEFFERY: CHAMBER OF COMMERCE REPORT REGARDING STREET SIGN PROJECT

Art Jeffery told the Council the Chamber of Commerce has been researching the possibility of placing new street signs in the City of Delta. He stated that Continental Telephone Company and Utah Power & Light have both offered some financial assistance for this project. The cost of each sign, a four-way sign and the post, is approximately \$50 per sign. There is a need of approximately 200 signs to complete the project. The approximate total cost of the project is \$10,000.

The Chamber is planning to involve some of the residents where the signs are being placed and to solicit donations. The Chamber is confident they can raise approximately half of the \$10,000. Therefore Mr. Jeffery stated the Chamber is requesting \$5,000 from the City to help with the cost of the project.

City Manager Jim Allan asked if the signs would have to be placed by the City crew. Mr. Jeffery responded that the plan was to request volunteers to place the signs.

Millard County Commissioner Michael Styler commented that Continental Telephone Company has offered a large amount of money for this project not only within the City, but also in the County. He said this item will be discussed at the next County Commission Meeting.

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Council Member Dafoe asked where the funding would come from that the City was requested to donate. City Manager Jim Allan stated the funds would have to come from the street budget.

Following further discussion of the issue, Council Member Kjell Jenkins MOVED that the City contribute 50% of the cost of the Chamber of Commerce street sign project up to \$5,000. Mayor Nielson called for a second on the motion. The motion died for a lack of a second.

Following further discussion of the issue, Council Member Neil Dutson MOVED to table the issue for one week to allow for further research. The motion was SECONDED by Council Member Ruth Hansen. The motion carried unanimously.

Chamber President Glen Swalberg addressed the Council and reminded them that about five months ago in a regular city council meeting, the Council had agreed to fund \$5,000 of the Chamber's budget for economic development purposes. Of that \$5,000, \$3,000 has been credited to the cost of the office space occupied by the Chamber in the new city building. Mr. Swalberg expressed the Chamber's appreciation for that credit. He then requested the balance of \$2,000 that is needed to assist the Chamber. Mr. Swalberg then reviewed the past expenditures of the Chamber with the City Council, after which Council Member Don Dafoe MOVED the Council approve payment of the \$2,000 from the revenues received from the business licenses. The motion was SECONDED by Council Member Ruth Hansen. Motion carried unanimously.

RESOLUTION REGARDING DELTA WEST ANNEXATION

City Attorney Warren Peterson reviewed a resolution giving preliminary approval and acceptance to the petition of Jack Grayson and others for annexation of property into the corporate limits of the City of Delta, Utah, in the area referred to as Delta West Annexation, and setting conditions for final approval of annexation.

Attorney Peterson then reviewed the contents of the resolution with the Council, after which Council Member Craig Greathouse MOVED that the resolution not be adopted and that all proceedings regarding the Delta West Annexation by Delta City be discontinued because petitions have been withdrawn and there are now not a sufficient number of property owners in favor of the proposed annexation. Council Member Neil Dutson SECONDED the motion. Mayor Nielson then asked if there were any further comments regarding the motion. There being none, he called for a vote on the motion. The motion carried unanimously.

CITY MANAGER JIM ALLAN: RENT FEES FOR THE USE OF THE CITY COUNCIL CHAMBERS

City Manager Jim Allan presented the issue of whether to charge a fee for the use of the Council Chambers for activities not sponsored by Delta City.

Following a brief discussion of the issue, Council Member Don Dafoe MOVED the Council allow the civic and governmental organizations to use the City Council Chambers with no charge and that any other groups be charged \$10.00 an hour, or \$50.00 per day for the use of the Council chamber.

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The motion was SECONDED by Council Member Ruth Hansen. Mayor Nielson asked if there were any further questions or comments regarding the motion. There being none, he called for a vote. The motion carried unanimously.

CITY CHIEF OF POLICE GREG COOPER: EMPLOYEE EVALUATION AND RECOMMENDATIONS
ON POLICE OFFICER MORRIS EWELL

Police Chief Greg Cooper explained to the Council that the request for Morris Ewell was not an evaluation, but rather a re-classification. Officer Ewell has just completed Utah Peace Officer's Standards and Training School and is now post certified. The recommendation from Chief Cooper was to change the job classification title from Patrolman I to Patrolman II, with a salary increase from grade 11 step C at \$1162 monthly to grade 12, step C, with a salary of \$1218 per month.

Council Member Craig Greathouse MOVED for reclassification of Officer Morris Ewell from Patrolman I to Patrolman II, with a wage increase from grade 11 step C, salary of \$1162 per month to grade 12, step C, salary \$1218 per month. The motion was SECONDED by Council Member Don Dafoe. The motion carried.

Chief Gregory Cooper then read the following letter he had presented to Officer Morris Burton:

TO: Mayor Grant Nielson
Delta City Council
Jim Allan, City Administrator

FROM: Gregory M. Cooper, Chief of Police

RE: Commendation for Officer Morris Burton

DATE: June 18, 1984

On June 6th, 1984 subsequent to attending Court in Fillmore, Officer Morris Burton and Officer Scott Lakey, while in uniform, stopped at the Fillmore Cafe for lunch.

After being seated, Officer Burton was distracted by a commotion at another booth and observed a woman grabbing at her throat. Immediately Officer Burton responded to her assistance and determined that she was choking from a blocked airway. Having been trained as an Emergency Medical Technician in his capacity as a police officer, Officer Burton promptly applied several abdominal thrusts and finally dislodged the blockage, saving the victim's life.

Officer Burton is to be commended for his conscientious training, quick and progressive

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responsiveness, and his professional representation of the Delta City Police Department.

Personally, I feel it is an honor and a privilege to work among such professionals who are dedicated to serving public welfare and safety.

Respectfully,

/s/ Gregory M. Cooper
Chief of Police

cc:
Mayor Grant Nielson
Jim Allan City Administrator
All Members of the City Council

Following the reading of the letter, City Manager Jim Allan asked Chief Cooper if there was some sort of an award that could be issued to Officer Burton. Chief Cooper said that he didn't have anything on hand, but that he would purchase some type of award and see that Officer Burton received it.

CITY COUNCIL MEMBER NEIL DUTSON: WATER/SEWER MONTHLY FEES AND HOOKUP CHARGES

Council Member Dutson told the Council he had asked Jim Edwards to address the Council regarding the water/sewer hookup fees for the annexation area.

Mr. Jim Edwards voiced his concern regarding the water and sewer hookup fees that are charged within the annexation area. Mr. Edwards stated that he was preparing a proposal for an RV park, and the cost per unit for all necessary fees and improvements was \$6500. Water connection fee is \$150 per unit, plus a water development fee of \$400 per unit, plus a 6 inch meter, which is negotiated by the Council, estimated by Mr. Edwards to be \$6,000, plus the sewer connection fee of \$320 per unit. This brought the total cost for a 100-unit RV park to \$94,000 for water and sewer.

Mr. Edwards further stated that he felt these charges were discouraging development in our area, and requested the Council review these charges.

Council Member Dutson suggested to the Council that if these charges are stopping developers from coming into our area that it would be advisable for the Council to review these charges.

Mr. Edwards further stated he felt that due to the cost of the water and sewer hookups, their proposal was not accepted by IPP, and the RV park is now being built just outside Delta City.

Following further discussion of the issue, City Manager Jim Allan recommended that the water and sewer resolution be reviewed in a work session by the Council. Council Member Neil Dutson MOVED that the Council hold a work session for budget purposes as well as reviewing the water and

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sewer resolution, to be held June 21 and 9:30 a.m. in the conference room at the City building. Motion was SECONDED by Council Member Don Dafoe. Motion carried unanimously.

CITY ATTORNEY WARREN PETERSON: AIRPORT LEASE

City Attorney Peterson explained that the Federal Aeronautics Administration has requested an extension of the lease for use of the FAA facilities at the Delta Municipal Airport. Mr. Peterson said that the proposed lease was prepared by the General Services Administration and is the basic federal site lease. He reviewed the document with the Council.

Mayor Nielson asked if a clause could be added to the lease prior to the City accepting it that the facilities be donated to the City at the time the lease expires. Attorney Peterson said he would negotiate with the federal government representative to add the clause to the lease and put it back on the agenda for next week's regular city council meeting for further discussion.

CITY MANAGER JIM ALLAN: WILFORD JENSON CONSTRUCTION COMPANY PAY REQUEST FOR WORK COMPLETED ON THE MUNICIPAL BUILDING

City Manager Jim Allan presented a pay request from Wilford Jenson Construction Company for work completed on the municipal building from May 1 to May 31. Mr. Allan then reviewed the pay request in detail with the Council, after which Council Member Don Dafoe MOVED to authorize payment of the pay request in the amount of \$51,318.90 to Wilford Jensen Construction Company for work completed on the Delta City Municipal Building for the period of May 1 to May 31. The motion was SECONDED by Council Member Craig Greathouse. The motion carried unanimously.

DISCUSSION REGARDING DEDICATION CEREMONY FOR THE MUNICIPAL BUILDING IN THE DELTA REGIONAL PARK

City Manager Jim Allan told the Council he had met with Al Pitzer from IPP and discussed the ceremony for dedication of the White Sage Regional Park and Delta City Municipal Building to be held July 11 at 6:00 p.m. He explained there will be free hot dogs and drinks for all those that attend and activities for both the kids and their parents. There is also a ball game scheduled between IPP and the Delta City staff. There will be a bus provided for persons to be picked up at the Regional Park and brought to the City Building for tours.

CITY MANAGER JIM ALLAN: FURNITURE AND BUILDING ADDITION

Mr. Allan explained to the Council that he had not yet received the additional furniture for the city building. He then explained to the Council there was a need for additional dirt for the berms around the city building and requested Council's approval for the \$1500 for the berms, after which Council Member Neil Dutson MOVED to approve the \$1500 for the berms around the city building. The motion was SECONDED by Council Member Kjell Jenkins. The motion carried unanimously.

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CITY COUNCIL MEMBER DON DAFOE: DISCUSSION REGARDING PARK ORDINANCE AND
ESTABLISHING FEES FOR THE RENTAL OF THE PARK AND ALSO POLICIES REGARDING
LIQUOR IN THE PARK

Following a brief discussion of the recommendations from the Parks and Recreation Advisory Board that an ordinance be adopted setting policies for use of City parks and providing for fees for use of the parks, Council Member Don Dafoe MOVED that Attorney Peterson be instructed to prepare an ordinance to regulate the liquor usage within the Regional Park and for rental fees at \$40.00 with \$20.00 being refunded if the park is cleaned up after the activity. The motion was SECONDED by Council Member Neil Dutson. The motion carried unanimously.

OTHER BUSINESS

The following items were requested to be placed on the next regular city council agenda:

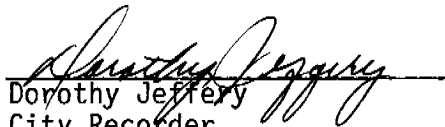
1. Dennis Westwood: Animal control officer contract and solid waste disposal contract.
2. John Quick: Sewer lagoon bids.
3. Neil Dutson: County landfill
4. Neil Dutson: Discussion regarding Delta City services provided to County residents.
5. Attorney Peterson: Airport Lease.

Mayor Nielson asked if there was any further items for discussion. Council Member Neil Dutson MOVED to go into closed session for the purpose of discussing litigation. Motion was SECONDED by Council Member Ruth Hansen. Council convened into closed session at 10:23 p.m.

Council reconvened in open session at 11:15 p.m. Council Member Neil Dutson MOVED the meeting be adjourned. SECONDED by Council Member Craig Greathouse. Meeting adjourned at 11:20 p.m.


Grant S. Nielson, Mayor

Attest:


Dorothy Jeffery
City Recorder